

**BEFORE SH. ATUL KUMAR GARG, PRESIDING  
OFFICER, CENTRAL GOVT. INDUSTRIAL-CUM-  
LABOUR COURT NO-II, NEW DELHI**

**I.D. No. 53/2022**

**Sh. Hardeep, S/o Sh. Ram Gopal,**  
R/o House No-112, Baba Pana, Baba Kakroi,  
Sonipat, Haryana-131001.

**VERSUS**

- 1. Delhi Metro Rail Corporation Ltd.**  
Metro Bhawan, 03<sup>rd</sup> Floor, A-Wing,  
Fire Brigade Lane, Barakhamba Road, New Delhi-110001.
- 2. Nuvision Commercial & Escort Services (NCES),**  
SCO-16, 17, 18, Shiv Narain Complex, City Court,  
Sikanderpur, Gurgaon, Haryana-122002.

**AWARD**

This is an application of U/S 2A of the Industrial Disputes Act (here in after referred as an Act). Claimant had stated in their claim statement that he was appointed by the management-2 on the post of Tom Operator on 27.08.2018 and his last drawn wages was Rs. 21,000/- Per month. The management had issued the ID No. 114181. At the time of appointment the management-2 had taken the amount of Rs. 1,35,000/- in cash from him as security amount, but the management had not given any receipt of the said amount. The management did not issue any appointment letter, leave book, Pay slip, HRA etc. to him. The management-2 has deputed to him in the management no-1. He had been doing his work with diligently and never given any chance of complaint to the managements but he has not been provided any legal facilities. The workman used to work under the direction and supervision of management-1 & 2. That on 29<sup>th</sup> March 2020, the Minsitry of Home Affairs issued an order under

the Disaster Management Act 2005, and declared complete lockdown. During the lockdown period, the management-2 had paid the wages to workman till May 2020 and on 01.06.2020, when the workman had visited at the office of the management-2 for joining his duty, the management did not take him on duty and on same day on 01.06.2020, the workman was illegally terminated by the management from his service, without any rhyme or reason. After the illegal termination workman is jobless. He has gone to the conciliation officer, but, no result was yielded. Hence he has filed the claim.

Both management-1 & 2 had appeared and filed the WS denying the averment made in the claim. They submit that claim of the claimant is not maintainable and is liable to be dismissed.

After completion the pleadings, following issues have been framed vide order dated 05.12.2022 i.e.:-

1. Whether the proceeding is maintainable.
2. Whether there exist employer and employee relationship between the claimant and the management-1.
3. Whether the service of the claimant was illegally terminated by the management-2.
4. To what relief the claimant is entitled to and from which date.

Claimant is asked to prove his case. However, despite providing a number of opportunities, claimant has not turned up to prove his claim. As the claimant has not turned up for proving his case, his claim stands dismissed. Award is passed accordingly. A copy of this award is sent to the appropriate government for notification as required under section 17 of the ID act 1947. File is consigned to record room.

Date:- 01.05.2024

ATUL KUMAR GARG  
Presiding Officer.  
CGIT-cum-Labour Court-II